

REMARKS

No claims have been amended or canceled. Claims 1-38 remain pending.

Provisional Double Patenting

Claims 1-2, 4, 12-13, 15, and 23-24 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting. Applicants respectfully disagree with the Examiner's provisional double patenting rejections. However, since the rejections are merely provisional, Applicants will defer responding to the rejections until the Examiner formally rejects the claims non-provisionally.

Rejection under 35 USC 102(b)

Claims 6-11, 33, and 38 stand rejected under 35 U.S.C. 102(b) as being anticipated by JP 11-331407 ('407). Under 35 U.S.C. 102(b), a claim is anticipated only if each and every element as set forth in the claim is found in a single prior art reference. MPEP § 2131. Applicant respectfully traverses the rejection.

Claim 6 recites a wireless mobile phone comprising:

- a body casing;

- a transceiver to send and receive signals for text messages with alphanumeric data;

- a vibrator coupled to said body casing to vibrate said wireless mobile phone;

- a storage medium having stored therein a plurality of programming instructions, which when executed cause the wireless mobile phone to vibrationally output the received text messages with alphanumeric data through vibrational manifestation of the alphanumeric data of the received text messages using the vibrator; and

an execution unit coupled to the storage medium for executing the plurality of programming instructions.

'407 fails to teach or suggest the programming instructions adapted to use the vibrator to vibrationally output received text messages with alphanumeric data, as recited in claim 6. Instead, '407 merely discloses a signal converter for converting and outputting received sound signals (101) as Morse Code (Para. 008). A sound signal is NOT a signal of text message. As it is well known to one skilled in the art, a sound signal encodes sound (e.g. speech), which are characterized in term of the sound's amplitude, frequency and so forth. Whereas a signal for a text message encodes a text message, which are characterized by the elements of a language used to compose the text message, e.g. selected ones of the alphabets, numbers, punctuation of a language. Thus, the logic of converter of '407 is necessarily adapted to analyze the attributes of the received sound, i.e. its amplitude, frequency and so forth, whereas the logic of the required programming instructions is adapted to analyze the received language element encoding. Accordingly, '407's converter does not anticipate the required programming instructions adapted to use the vibrator to vibrationally output received text messages with alphanumeric data. Therefore, '407 does not anticipate claim 6.

Each of claims 9, 33, and 38 contains in substance the above discussed required limitation of claim 6. Accordingly, for at least the same reasons stated above with respect to claim 6, claims 9, 33 and 38 are not anticipated by '407.

Claims 7-8, and 10-11 depend on claims 6 and 9, incorporating their limitations respectively. Therefore, claims 7-8 and 10-11 are patentable for at least the above-stated reasons.

In summary, withdrawal of the rejection of claims 6-11, 33, and 38 for anticipation is requested.

Rejection of claims 1-5 and 12-32 under 35 U.S.C. 103(a)

Claims 1-5 and 12-32 stand rejected under 35 U.S.C. 103(a) as being unpatentable over '407 in view of U.S. Patent No. 5,263,195, issued to Panther et al (Panther). Applicant respectfully traverses the rejection.

As described above, '407 fails to teach or the required programming instructions adapted to use the vibrator to vibrationally output received text messages with alphanumeric data, as recited in substance in claims 1, 12, 17, 20, 27, and 30. Panther does not remedy the above-discussed deficiency of '407. Therefore, claims 1, 12, 17, 20, 27, and 30 are patentable over '407 even when combined with Panther. Claims 2-4, 13-16, 18-19, 21-26, 28-19, and 31-32 are dependent on claims 1, 12, 17, 20, 27, and 30 respectively, incorporating its limitations. Therefore, for at least the same reasons, claims 2-4, 13-16, 18-19, 21-26, 28-19, and 31-32 are patentable over '407 and Panther combined. Withdrawal of the rejection of claims 1-5 and 12-32 for obviousness is requested.

Rejection of claims 34-37 under 35 U.S.C. 103(a)

Claims 34-37 stand rejected under the 35 U.S.C. 103(a) as being unpatentable over '407 in view of U.S. Patent No. 6,573,825, issued to Okano. Applicant respectfully traverses the rejection.

As described above, '407 fails to teach or the required programming instructions adapted to use the vibrator to vibrationally output received text messages with

alphanumeric data, as recited in claim 33. Okano does not remedy the above-discussed deficiency of '407. Therefore, claim 33 is patentable over '407, even when combined with Okano.

Claims 34-37 are dependent on claim 33, incorporating its limitations. Therefore, for at least the same reasons, claims 34-37 are patentable over '407 and Okano combined. Withdrawal of the rejection of claims 34-37 for obviousness is requested.


Conclusion

In view of the foregoing, Applicants respectfully submit that claims 1-38 are in condition for allowance. Entry of the foregoing remarks is requested and a Notice of Allowance is earnestly solicited. Please contact the undersigned at (503) 796-2437 regarding any questions or concerns associated with the present matter.

Respectfully submitted,
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